

12-18-01

A

Box 509

Please type a plus sign (+) inside this box ☐

Attorney Docket P2630P1C62

PATENT

10/24/01

10/24/01

1017 U.S. PTO  
10/01/191  
10/24/01

CERTIFICATION UNDER 37 CFR 1.10

EL 889 331 419 US: Express Mail Number October 24, 2001: Date of Deposit

I hereby certify that this Non-provisional Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

*Patricia Terrill*  
Patricia Terrill

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION

Assistant Commissioner of Patents

Washington, D.C. 20231

**NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)**

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Avi Ashkenazi, San Mateo, CA  
 Kevin P. Baker, Darnestown, MD  
 David Botstein, Belmont, CA  
 Luc Desnoyers, San Francisco, CA  
 Dan Eaton, San Rafael, CA  
 Napoleone Ferrara, San Francisco, CA  
 Ellen Filvaroff, San Francisco, CA  
 Sherman Fong, Alameda, CA  
 Wei-Qiang Gao, Foster City, CA  
 Hanspeter Gerber, San Francisco, CA  
 Mary E. Gerritsen, San Mateo, CA  
 Audrey Goddard, San Francisco, CA  
 Paul J. Godowski, Burlingame, CA  
 J. Christopher Grimaldi, San Francisco, CA  
 Austin L. Gurney, Belmont, CA  
 Kenneth J. Hillan, San Francisco, CA  
 Ivar J. Kljavin, Lafayette, CA  
 Sophia S. Kuo, San Francisco, CA  
 Mary A. Napier, Hillsborough, CA  
 James Pan, Belmont, CA  
 Nicholas F. Paoni, Belmont, CA  
 Margaret Ann Roy, San Francisco, CA  
 David L. Shelton, Oakland, CA  
 Timothy A. Stewart, San Francisco, CA  
 Daniel Tumas, Orinda, CA  
 P. Mickey Williams, Half Moon Bay, CA  
 William I. Wood, Hillsborough, CA

Title: SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC ACIDS  
ENCODING THE SAME

**1. Type of Application**

☐ This application is for an original, non-provisional application.

☐ This is a non-provisional application claiming priority to provisional application no. \_\_, filed \_\_, the entire disclosure of which is hereby incorporated by reference.

☒ This is a ☐ continuation-in-part ☒ continuation ☐ divisional application claiming priority to application Serial Numbers: 60/062250 filed October 17, 1997; 60/064249 filed November 3, 1997; 60/065311 filed November 13, 1997; 60/066364 filed November 21, 1997; 60/077450 filed March 10, 1998; 60/077632 filed March 11, 1998; 60/077641 filed March 11, 1998; 60/077649 filed March 11, 1998; 60/077791 filed March 12, 1998; 60/078004 filed March 13, 1998; 60/078886 filed March 20, 1998; 60/078936 filed March 20, 1998; 60/078910 filed March 20, 1998; 60/078939 filed March 20, 1998; 60/079294 filed March 25, 1998; 60/079656 filed March 26, 1998; 60/079664 filed March 27, 1998; 60/079689 filed March 27, 1998; 60/079663 filed March 27, 1998; 60/079728 filed March 27, 1998; 60/079786 filed March 27, 1998; 60/079920 filed March 30, 1998; 60/079923 filed March 30, 1998; 60/080105 filed March 31, 1998; 60/080107 filed March 31, 1998; 60/080165 filed March 31, 1998; 60/080194 filed March 31, 1998; 60/080327 filed April 1, 1998; 60/080328 filed April 1, 1998; 60/080333 filed April 1, 1998; 60/080334 filed April 1, 1998; 60/081070 filed April 8, 1998; 60/081049 filed April 8, 1998; 60/081071 filed April 8, 1998; 60/081195 filed April 9, 1998; 60/081203 filed April 9, 1998; 60/081229 filed April 9, 1998; 60/081955 filed April 15, 1998; 60/081817 filed April 15, 1998; 60/081819 filed April 15, 1998; 60/081952 filed April 15, 1998; 60/081838 filed April 15, 1998; 60/082568 filed April 21, 1998; 60/082569 filed April 21, 1998; 60/082704 filed April 22, 1998; 60/082804 filed April 22, 1998; 60/082700 filed April 22, 1998; 60/082797 filed April 22, 1998; 60/082796 filed April 23, 1998; 60/083336 filed April 27, 1998; 60/083322 filed April 28, 1998; 60/083392 filed April 29, 1998; 60/083495 filed April 29, 1998; 60/083496 filed April 29, 1998; 60/083499 filed April 29, 1998; 60/083545 filed April 29, 1998; 60/083554 filed April 29, 1998; 60/083558 filed April 29, 1998; 60/083559 filed April 29, 1998; 60/083500 filed April 29, 1998; 60/083742 filed April 30, 1998; 60/084366 filed May 5, 1998; 60/084414 filed May 6, 1998; 60/084441 filed May 6, 1998; 60/084637 filed May 7, 1998; 60/084639 filed May 7, 1998; 60/084640 filed May 7, 1998; 60/084598 filed May 7, 1998; 60/084600 filed May 7, 1998; 60/084627 filed May 7, 1998; 60/084643 filed May 7, 1998; 60/085339 filed May 13, 1998; 60/085338 filed May 13, 1998; 60/085323 filed May 13, 1998; 60/085582 filed May 15, 1998; 60/085700 filed May 15, 1998; 60/085689 filed May 15, 1998; 60/085579 filed May 15, 1998; 60/085580 filed May 15, 1998; 60/085573 filed May 15, 1998; 60/085704 filed May 15, 1998; 60/085697 filed May 15, 1998; 60/086023 filed May 18, 1998; 60/086430 filed May 22, 1998; 60/086392 filed May 22, 1998; 60/086486 filed May 22, 1998; 60/086414 filed May 22, 1998; 60/087208 filed May 28, 1998; 60/087106 filed May 28, 1998; 60/087098 filed May 28, 1998; 60/091010 filed June 26, 1998; 60/090863 filed June 26, 1998; 60/091359 filed July 1, 1998; 60/094651 filed July 30, 1998; 60/100038 filed September 11, 1998; 60/109304 filed November 20, 1998; 60/113296 filed December 22, 1998; 60/113621 filed December 23, 1998; 60/123957 filed March 12, 1999; 60/126773 filed March 29, 1999; 60/130232 filed April 21, 1999; 60/131022 filed April 26, 1999; 60/131445 filed April 28, 1999; 60/134287 filed May 14, 1999; 60/139557 filed June 16, 1999; 60/141037 filed June 23, 1999; 60/142680 filed July 7, 1999; 60/145698 filed July 26, 1999;

SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC ACIDS

60/146222 filed July 28, 1999; 60/162506 filed October 29, 1999; 09/040220 filed March 17, 1998; 09/105413 filed June 26, 1998; 09/168978 filed October 7, 1998; 09/184216 filed November 2, 1998; 09/187368 filed November 6, 1998; 09/202054 filed December 7, 1998; 09/218517 filed December 22, 1998; 09/254465 filed March 5, 1999; 09/265686 filed March 10, 1999; 09/267213 filed March 12, 1999; 09/284291 filed April 12, 1999; 09/311832 filed May 14, 1999; 09/380137 filed August 25, 1999; 09/380138 filed August 25, 1999; 09/380142 filed August 25, 1999; 09/709238 filed November 8, 2000; 09/723749 filed November 27, 2000; 09/747259 filed December 20, 2000; 09/816744 filed March 22, 2001; 09/816920 filed March 22, 2001; 09/854280 filed May 10, 2001; 09/854208 filed May 10, 2001; 09/872035 filed June 1, 2001; 09/874503 filed June 5, 2001; 09/882636 filed June 14, 2001; 09/886342 filed June 19, 2001; 09/918585 filed July 30, 2001; PCT/US98/21141 filed October 7, 1998; PCT/US98/24855 filed November 20, 1998; PCT/US99/00106 filed January 5, 1999; PCT/US99/05028 filed March 8, 1999; PCT/US99/05190 filed March 10, 1999; PCT/US99/10733 filed May 14, 1999; PCT/US99/12252 filed June 2, 1999; PCT/US99/28313 filed November 30, 1999; PCT/US99/28551 filed December 2, 1999; PCT/US99/28565 filed December 2, 1999; PCT/US99/30095 filed December 16, 1999; PCT/US99/31243 filed December 30, 1999; PCT/US99/31274 filed December 30, 1999; PCT/US00/00219 filed January 5, 2000; PCT/US00/00277 filed January 6, 2000; PCT/US00/00376 filed January 6, 2000; PCT/US00/03565 filed February 11, 2000; PCT/US00/04341 filed February 18, 2000; PCT/US00/05841 filed March 2, 2000; PCT/US00/07532 filed March 21, 2000; PCT/US00/05004 filed February 24, 2000; PCT/US00/06319 filed March 10, 2000; PCT/US00/08439 filed March 30, 2000; PCT/US00/13705 filed May 17, 2000; PCT/US00/14042 filed May 22, 2000; PCT/US00/14941 filed May 30, 2000; PCT/US00/15264 filed June 2, 2000; PCT/US00/20710 filed July 28, 2000; PCT/US00/23328 filed August 24, 2000; PCT/US00/32678 filed December 1, 2000; PCT/US00/34956 filed December 20, 2000; PCT/US01/06520 filed February 28, 2001; PCT/US01/09552 filed March 22, 2001; PCT/US01/17092 filed May 25, 2001; PCT/US01/17800 filed June 1, 2001; PCT/US01/19692 filed June 20, 2001; PCT/US01/21066 filed June 29, 2001; PCT/US01/21735 filed July 9, 2000, the entire disclosure of which is hereby incorporated by reference.

2. **Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional)**

379 pages of specification  
13 pages of claims  
1 page(s) of abstract  
237 sheet(s) of drawings  
☒ formal ☐ informal

3. **Declaration or Oath**

*(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)*  
 \_\_\_ An executed declaration of the inventor(s) ☐ is enclosed ☐ will follow.

*(for Cont./Div. where inventorship is the same or inventor(s) being deleted)*  
X A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

*(for Cont./Div. where inventor(s) being deleted)*  
 \_\_\_ A signed statement is attached deleting inventor(s) named in the prior

application (see 37 CFR 1.63(d)(2) and 1.33(b)).

#### 4. Assignment

*(for new and CIP applications)*

☐ An Assignment of the invention to GENENTECH, INC. ☐ is enclosed with attached Recordation Form Cover Sheet ☐ will follow.

*(for cont./div.)*

☒ The prior application is assigned of record to Genentech, Inc.

#### 5. Amendments (for continuation and divisional applications)

☐ Cancel in this application original claims \_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

#### Relate Back -- 35 U.S.C. 120 or 35 U.S.C. 119

☒ Amend the specification by inserting before the first line the sentence:

--This is a

☐ non-provisional application

☒ continuation

☐ divisional

☐ continuation-in-part

of applications

☒ U.S. serial numbers: 09/040220 filed March 17, 1998; 09/105413 filed June 26, 1998; 09/168978 filed October 7, 1998; 09/184216 filed November 2, 1998; 09/187368 filed November 6, 1998; 09/202054 filed December 7, 1998; 09/218517 filed December 22, 1998; 09/254465 filed March 5, 1999; 09/265686 filed March 10, 1999; 09/267213 filed March 12, 1999; 09/284291 filed April 12, 1999; 09/311832 filed May 14, 1999; 09/380137 filed August 25, 1999; 09/380138 filed August 25, 1999; 09/380142 filed August 25, 1999; 09/709238 filed November 8, 2000; 09/723749 filed November 27, 2000; 09/747259 filed December 20, 2000; 09/816744 filed March 22, 2001; 09/816920 filed March 22, 2001; 09/854280 filed May 10, 2001; 09/854208 filed May 10, 2001; 09/872035 filed June 1, 2001; 09/874503 filed June 5, 2001; 09/882636 filed June 14, 2001; 09/886342 filed June 19, 2001; 09/918585 filed July 30, 2001, which applications are incorporated herein by reference and to which applications priority is claimed under 35 USC §120 and

☒ PCT international application numbers: PCT/US98/21141 filed October 7, 1998; PCT/US98/24855 filed November 20, 1998; PCT/US99/00106 filed January 5, 1999;

X

provisional application numbers: 60/062250 filed October 17, 1997; 60/064249 filed November 3, 1997; 60/065311 filed November 13, 1997; 60/066364 filed November 21, 1997; 60/077450 filed March 10, 1998; 60/077632 filed March 11, 1998; 60/077641 filed March 11, 1998; 60/077649 filed March 11, 1998; 60/077791 filed March 12, 1998; 60/078004 filed March 13, 1998; 60/078886 filed March 20, 1998; 60/078936 filed March 20, 1998; 60/078910 filed March 20, 1998; 60/078939 filed March 20, 1998; 60/079294 filed March 25, 1998; 60/079656 filed March 26, 1998; 60/079664 filed March 27, 1998; 60/079689 filed March 27, 1998; 60/079663 filed March 27, 1998; 60/079728 filed March 27, 1998; 60/079786 filed March 27, 1998; 60/079920 filed March 30, 1998; 60/079923 filed March 30, 1998; 60/080105 filed March 31, 1998; 60/080107 filed March 31, 1998; 60/080165 filed March 31, 1998; 60/080194 filed March 31, 1998; 60/080327 filed April 1, 1998; 60/080328 filed April 1, 1998; 60/080333 filed April 1, 1998; 60/080334 filed April 1, 1998; 60/081070 filed April 8, 1998; 60/081049 filed April 8, 1998; 60/081071 filed April 8, 1998; 60/081195 filed April 9, 1998; 60/081203 filed April 9, 1998; 60/081229 filed April 9, 1998; 60/081955 filed April 15, 1998; 60/081817 filed April 15, 1998; 60/081819 filed April 15, 1998; 60/081952 filed April 15, 1998; 60/081838 filed April 15, 1998; 60/082568 filed April 21, 1998; 60/082569 filed April 21, 1998; 60/082704 filed April 22, 1998; 60/082804 filed April 22, 1998; 60/082700 filed April 22, 1998; 60/082797 filed April 22, 1998; 60/082796 filed April 23, 1998; 60/083336 filed April 27, 1998; 60/083322 filed April 28, 1998; 60/083392 filed April 29, 1998; 60/083495 filed April 29, 1998; 60/083496 filed April 29, 1998; 60/083499 filed April 29, 1998; 60/083545 filed April 29, 1998; 60/083554 filed April 29, 1998; 60/083558 filed April 29, 1998; 60/083559 filed April 29, 1998; 60/083500 filed April 29, 1998; 60/083742 filed April 30, 1998; 60/084366 filed May 5, 1998; 60/084414 filed May 6, 1998; 60/084441 filed May 6, 1998; 60/084637 filed May 7, 1998; 60/084639 filed May 7, 1998; 60/084640 filed May 7, 1998; 60/084598 filed May 7, 1998; 60/084600 filed May 7, 1998; 60/084627 filed May 7, 1998; 60/084643 filed May 7, 1998; 60/085339 filed May 13, 1998; 60/085338 filed May 13, 1998; 60/085323 filed May 13, 1998; 60/085582 filed May 15, 1998; 60/085700 filed May 15, 1998; 60/085689 filed May 15, 1998; 60/085579 filed May 15, 1998; 60/085580 filed May 15, 1998; 60/085573 filed May 15, 1998; 60/085704 filed May 15, 1998; 60/085697 filed May 15, 1998; 60/086023 filed May 18, 1998; 60/086430 filed May 22, 1998; 60/086392 filed May 22, 1998; 60/086486 filed May 22, 1998; 60/086414 filed May 22, 1998; 60/087208 filed May 28, 1998; 60/087106 filed May 28, 1998; 60/087098 filed May 28, 1998; 60/091010 filed June 26, 1998; 60/090863 filed June 26, 1998; 60/091359 filed July 1, 1998; 60/094651 filed July 30, 1998; 60/100038 filed September 11, 1998;

60/109304 filed November 20, 1998; 60/113296 filed December 22, 1998; 60/113621 filed December 23, 1998; 60/123957 filed March 12, 1999; 60/126773 filed March 29, 1999; 60/130232 filed April 21, 1999; 60/131022 filed April 26, 1999; 60/131445 filed April 28, 1999; 60/134287 filed May 14, 1999; 60/139557 filed June 16, 1999; 60/141037 filed June 23, 1999; 60/142680 filed July 7, 1999; 60/145698 filed July 26, 1999; 60/146222 filed July 28, 1999; 60/162506 filed October 29, 1999, the entire disclosure of which is hereby incorporated by reference and to which applications priority is claimed under 35 USC §119.—.

#### 6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$710.00
Total Claims	20	- 20 =	0	X \$18.00	\$0.00
Independent Claims	5	- 3 =	2	X \$80.00	\$160.00
— Multiple dependent claim(s), if any				+ \$270.00	\$0.00
Filing Fee Calculation					\$870.00

#### 7. Method of Payment of Fees

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$870.00. **A duplicate copy of this transmittal is enclosed.**

#### 8. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

#### 9. Additional Papers Enclosed

- ☐ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
- ☒ Submission of electronic and paper copy of Sequence Listing. I hereby state that the Sequence Listing submitted herewith is submitted in paper copy and a computer-readable diskette, and that the information recorded in computer readable form is identical to the written sequence listing. I further state that this submission includes no new matter.
- ☒ An Associate Power of Attorney (37 CFR § 1.34).
- ☒ Other: Post card.

**10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)**

*[This item **must** be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

\_\_\_\_\_ A petition, fee and/or response has been filed to extend the term in the pending prior application until

\_\_\_\_\_ A copy of the petition for extension of time in the **prior** application is attached.

**11. Correspondence Address:**

X Address all future communications to:

Ginger R. Dreger, Esq.  
Registration No. 33,055, CUSTOMER NO. 30,313  
Knobbe Martens Olson & Bear  
201 California Street, Suite 1150  
San Francisco, CA 94111  
Telephone: 415-217-8381

Respectfully submitted,  
GENENTECH, INC.

Date: October 24, 2001

By: Elizabeth M. Barnes  
Elizabeth M. Barnes, Ph.D.  
Reg. No. 35,059  
Telephone No. (650) 225-4563



09157

PATENT TRADEMARK OFFICE

Patent Trademark Office